



Expanding Access to Justice (EAJ)



Somali elders hold a weekly information sharing meeting. Photo credit: Martin Namasaka, PACT

Funding Level:

\$25 million

Duration:

August 2018 – 2023

Activity Objectives:

- Inclusive community engagement in justice solutions improved
- Justice services strengthened
- Aggrieved parties' navigation of justice pathways improved

Activity Locations:

Banadir Regional Administration (Mogadishu), South West State, and Somaliland

Implementing Partners:

Freedom House
Pact
American Bar Association Rule of Law Initiative (ABA ROLI)

Key Local Partners:

Marginalized Communities Advocates
Somali Community Action Group
Action for Development Research
Somali Women's Development Centre
City University
Mogadishu University
Amoud University
Somaliland Women Lawyers Association

OVERVIEW

Somalia suffers from weak governance and fragile rule of law. Somali citizens struggle to have their grievances justly resolved as they often face discriminatory practices, are not well informed about their rights, and have few functional institutions to meet their justice needs. Seeking justice is especially challenging for marginalized segments of society, including women, youth, internally displaced persons, members of minority clans or kin groups, and persons with disabilities.

A general absence of justice is often cited as one of the root causes of instability in Somalia and a key driver of violent extremism. In Somalia's complex political environment, vulnerable groups and minorities can become potential "destabilizers" if their grievances are left unaddressed or exploited by extremist groups. Increasingly, the extremist group, al-Shabaab, is viewed as a competitor to the government in the administration, delivery, and enforcement of justice.

ACTIVITY AREAS

To address the limited access to effective justice systems and undermine the resulting push factor that drives vulnerable groups to turn to al-Shabaab's brand of justice, USAID's Expanding Access to Justice (EAJ) program uses targeted research to identify and strengthen existing justice mechanisms to fill the justice gap. The program increases access and strengthens the capacity of justice mechanisms to resolve grievances peacefully, focusing on providing access to marginalized communities.'

EAJ promotes greater community inclusion in the justice process, increases the quality and reach of justice services, and facilitates aggrieved parties' navigation of existing justice pathways. In the process, EAJ strengthens the capacity and sustainability of justice-focused organizations. The program uses a flexible toolkit of approaches that are applied across the contexts in which it operates, tailored according to the needs and opportunities of each targeted geographic area.

ACTIVITY HIGHLIGHTS

To inform its approach, EAJ conducted robust research on:

- **Gender inequalities and other vulnerabilities:** This research resulted in a dedicated [Gender Equality and Social Inclusion Analysis](#) and GESI Guidelines.

- **The intersection between Shari’ah and GBV:** This research highlights how Shari’ah (Islamic Law and the formal foundation of Somali rule of law) can be used more effectively to seek redress for GBV victims.
- **Land and conflict:** This research includes targeted analysis of the pathways and institutions for resolving land disputes in Mogadishu and highlights how land conflicts are one of the primary sources of instability and grievances in Somalia. [Pathways and Institutions for Resolving Land Disputes in Mogadishu](#)

EAJ also provided grants to Somali-led organizations to increase the reach, availability, and accessibility of justice services. These activities focus on improving support and legal assistance to women, internally displaced persons (IDPs), and detainee populations, recognizing that Somali women are often victims of gender-based violence (GBV). Moving forward, the program will improve GBV referral pathways, facilitating better referrals to different services for survivors of GBV crimes, as well as supporting local organizations to change perceptions and reverse negative behaviors.

NEXT STEPS

In 2020, EAJ is expanding its focus to target areas that are newly recovered from al-Shabaab. In these environments, EAJ will establish basic links between communities and justice actors and identify critical justice needs in the process. The program will support constructive, conflict-sensitive dialogue to address barriers to accessing justice. To do this, EAJ improves conditions for engagement between all parties and then co-creates justice sector solutions.

In more stable operational areas such as Mogadishu, the program will foster sustained connections between communities and justice actors to identify services, set service standards, and promote accountability of providers. To do this, they will work with both government and civil society justice sector actors, as well as with traditional Somali elders. In addition, the program will build on these connections to strengthen the provision of justice services that meet community needs, while facilitating aggrieved parties to navigate different justice forums.